

Case Return To:

Ennie M. Fulasz, City Clerk
P. O. Box 1087
Chula Vista, California 92012

749

RESOLUTION NO. 11485

84-007777
RECORDED IN
OFFICIAL RECORDS
OF SAN DIEGO COUNTY, CA

1984 JAN -9 AM 11:50

VERA L. LYLE
COUNTY RECORDER

NO FEE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA
VISTA ESTABLISHING OPEN SPACE MAINTENANCE DISTRICT
NO. 11 IN HIDDEN VISTA VILLAGE (TERRA NOVA)

The City Council of the City of Chula Vista does hereby
resolve as follows:

WHEREAS, McMillin Development, Inc., managers of Hidden
Vista Village (Terra Nova) on behalf of the owner, Financial
Scene, Inc., has petitioned for formation of an open space
maintenance district in accordance with the conditions of approval
(6 and 56) of the tentative subdivision map, and

WHEREAS, on November 22, 1983, the City Council adopted
Resolution No. 11470 setting December 13, 1983 as the date for the
public hearing on the proposed formation of Open Space Maintenance
District No. 11.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the
City of Chula Vista as follows:

1. That Chula Vista Open Space Maintenance District No.
11 in Hidden Vista Village (Terra Nova), the boundaries of which
are described in Resolution No. 11470, is hereby ordered formed.

2. The maintenance described in said Resolution No.
11470 is hereby ordered performed.

3. The assessment of costs and expenses, as set forth in
said resolution are hereby confirmed and approved.

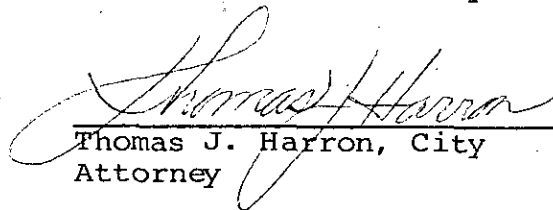
4. That the City Clerk of the City of Chula Vista be,
and she is hereby directed to record said assessments in the
Office of the San Diego County Recorder.

Presented by

Approved as to form by

/s/ John P. Lippitt

John P. Lippitt, City
Engineering


Thomas J. Harron, City
Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

CHULA VISTA, CALIFORNIA, this 13th day of December19 83, by the following vote, to-wit:AYES: Councilmen Malcolm, Cox, Moore, McCandless, ScottNAYES: Councilmen NoneABSTAIN: Councilmen NoneABSENT: Councilmen None/s/ Gregory R. CoxMayor of the City of Chula VistaATTEST /s/ Jennie M. Fulasz
City ClerkSTATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,
DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of
RESOLUTION NO. 11485, and that the same has not been amended or repealed.DATED December 14, 1983

(seal)

Jennie M. Fulasz
City Clerk

RESOLUTION NO. 11470

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE REPORT AND DECLARING THE CITY'S INTENTION TO ESTABLISH CHULA VISTA OPEN SPACE DISTRICT NO. 11, AND SETTING THE TIME AND PLACE FOR HEARING THEREON

The City Council of the City of Chula Vista does hereby resolve as follows:

WHEREAS, McMillin Development, Inc., manager of Hidden Vista Village (Terra Nova) for the owner, Financial Scene, Inc., has submitted a petition for the formation of an open space district in accordance with Chapter 17.08 of the Chula Vista Municipal Code, and

WHEREAS, the formation of this district was a condition of approval of the tentative map for the subdivision, and

WHEREAS, the City Council is required to adopt a resolution of intention to form the district in order to satisfy the procedural requirements for such district, and

WHEREAS, the preliminary report was submitted by the City Engineer and the Director of Parks and Recreation for the cost of maintaining the open space district and a preliminary estimate for the assessment to be charged for each parcel.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby accept the report for the formation of Open Space District No. 11 and proposes and intends to establish an open space maintenance district to pay the costs of maintaining natural open space, green belt and slopes along major and collector roads, the median island in "H" Street, and parkways within the public rights of way adjacent to open space lots, including the maintenance of all trees, shrubs, plants, etc., planted or placed within said open space area designated in Exhibit "A", attached hereto and incorporated herein by reference as if set forth in full in accordance with the provisions of Ordinance No. 1400 establishing procedures for the acquisition, development and maintenance of open space, known as the Chula Vista Open Space District Procedural Ordinance of 1972, and as such may be amended.

Section 1

DESCRIPTION OF MAINTENANCE

The proposed maintenance consists in general of the following:

- (a) Irrigation
- (b) Fertilization
- (c) Removal of weeds, trash and litter
- (d) Pruning of trees and shrubs
- (e) Replacement of dead or diseased trees and shrubs
- (f) Repair of equipment and facilities
- (g) Weed abatement

Section 2

DESCRIPTION OF MAINTENANCE

The maintenance district is that as described in Exhibit "A", attached hereto and incorporated herein by reference as if set forth in full.

Section 3

ASSESSMENT OF COST AND EXPENSE

It is proposed to assess the total amount of the maintenance cost of the district after establishment, plus the incidental expenses thereto, to all of the real property within the district, in conformance with the provisions of the Chula Vista Open Space District Procedural Ordinance of 1972, in proportion to the estimated benefits from the maintenance to be received by the individual parcels of real property. The Council may order a portion of the cost of maintenance to be paid by the City from appropriate funds. The anticipated annual maintenance cost is estimated at \$100,000.

The initial assessment for Chula Vista Open Space District No. 11 will be approximately \$75 for a single family home or condominium, \$37.50 for an apartment and \$640 for a commercial acre for the maintenance of slopes and natural open space.

The assessment per dwelling unit will be adjusted every year to reflect the changes in actual number of dwelling units and additional maintenance costs.

A statement of the proposed assessments and the procedure thereby to be levied against the lots or parcels is on file in the office of the City Engineer for public inspection.

Section 4

TIME AND PLACE OF HEARING

NOTICE IS HEREBY GIVEN that Tuesday, December 13, 1983, at 7:00 p.m. in the Council Chambers of City Hall, 276 Fourth Avenue, Chula Vista, California, is the day, hour and place for the hearing when any person interested may object to the proposed maintenance, or the amount of the assessment, or increasing the limits for the district. Failure to make objections at that time shall be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages.

Such protest, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing.

Section 5

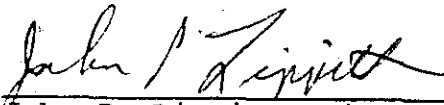
PUBLICATION OF NOTICE

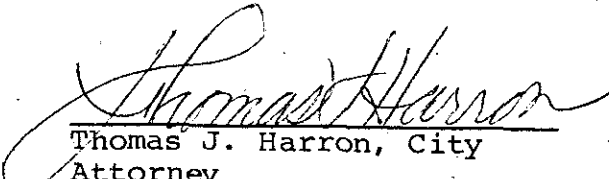
The City Clerk of the City of Chula Vista is directed to cause a notice, entitled "Notice of Formation of Open Space Maintenance District No. 11", to be published at least ten days before the date of the hearing in the Chula Vista Star News.

The City Clerk is directed to mail a copy of such notice, postage prepaid, to all persons owning real property proposed to be assessed whose names and addresses appear on the last equalized County Assessment Roll, all in the manner provided for in the Chula Vista Open Space District Procedural Ordinance of 1972.

Presented by

Approved as to form by


John P. Lippitt, City
 Engineer


Thomas J. Harron, City
 Attorney

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF

CHULA VISTA, CALIFORNIA, this 22nd day of November19 83, by the following vote, to-wit:AYES: Councilmen McCandliss, Scott, Malcolm, Cox, MooreNAYES: Councilmen NoneABSTAIN: Councilmen NoneABSENT: Councilmen NoneGregory R. Cox

Mayor of the City of Chula Vista

ATTEST

Jennie M. Fulasz
City ClerkSTATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.
CITY OF CHULA VISTA)

I, JENNIE M. FULASZ, CMC, CITY CLERK of the City of Chula Vista, California,

DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of

RESOLUTION NO. 11470, and that the same has not been amended or repealed.DATED December 29, 1983

(seal)

Jennie M. Fulasz
City Clerk

ATTACHMENT B

Residential Units 80.25%; Commercial Property 19.75%

755

Residential	# of Lots or Units	Assessment/Unit	Total Assessment Units	% of Residential Assessment	% of District Assessment
Single Family Lots	320	1.0	320	30.00	24.09
Condos					
Lot 320	58	1.0	58	5.44	4.37
321	52	1.0	52	4.88	3.91
322	60	1.0	60	5.63	4.52
323	72	1.0	72	6.75	5.42
324	52	1.0	52	4.88	3.91
325	50	1.0	50	4.69	3.76
326	56	1.0	56	5.25	4.21
327	48	1.0	48	4.50	3.62
328	48	1.0	48	4.50	3.62
329	72	1.0	72	6.75	5.42
330	62	1.0	62	5.82	4.67

Apartments

Lot 332	232	0.50	116	10.88	8.73
			1,066.	99.97%	80.25

Commercial	# OF Acres	Assessment/AC	Total Assessment	% of Commercial Assessment	% of District Assessments
Lot 331	3.393	8.5	22.9	11.00%	1.72%
333	20.911	8.5	177.7	66.00%	13.37
334	5.190	8.5	44.1	16.00%	3.32
Parcel 2.1 Ac.	2.100	8.5	17.9	7.00%	1.35
	31.59		262.6	100.00%	19.75

Total Assessment

Residential and Commercial

1,128.6

Landscaping open spaces ~ \$100,000

Cost per EDU = $\frac{\$100,000}{1,328.6} = \75.27

Assessments

Single Family & Condominium = \$75.27

Apartment = \$37.63

Commercial Area = \$639.77

100.00

R-11485

ATTACHMENT "C"

CITY OF CHULA VISTA
OPEN SPACE MAINTENANCE DISTRICT NO. 11

<u>LOT</u>	<u>LANDSCAPED AND IRRIGATED (sq. ft.)</u>	<u>NATURAL LANDSCAPED (sq. ft.)</u>	<u>NATURAL (ac)</u>
A	20,000	32,500	1.97
E	--	62,400	36.88
F	8,712	250,034	69.63
G	43,995	--	--
H	28,052	--	--
J	11,804	--	--
K	53,927	--	--
P	3,833	--	--
V	16,117	--	--
W	--	--	31.22
Parcel 3 Map 12836	<u>3,528</u>	<u>--</u>	<u>--</u>
Subtotal	189,968	344,934	139.70
Q (Portion)*	11,515		
S	69,913		
T	76,622		
Parcel 1 & Parcel 3 Map 13006	<u>127,151</u> <u>34,717</u>		
Subtotal	319,918		
"H" Street Center Median Parkway	<u>30,000</u> <u>75,725</u>		
Subtotal	105,725		
TOTAL	615,611		

*Boundary adjustment filed

	<u>Sq. Ft.</u>	<u>\$/sq. ft./yr.</u>	
Landsaped and Irrigated Lands	615,611	0.14	86,186
Natural Landsaped	344,934	0.02	6,898
Natural*	304,048	0.02	<u>6,081</u>
		TOTAL	99,165
		SAY	100,000

139.7 Ac. x 5% = 6.98 Ac. x 43,560 = 304,048 sq. ft.

The natural areas adjacent to streets is estimated to be 5% of the total open space. The remainder of the natural open space is assumed to require no maintenance.

Attachment "D"

SUPPLEMENTAL STAFF RESPONSE TO COUNCIL REFERRAL OF NOVEMBER 22, 1983

At the City Council meeting of November 22, 1983, Council requested that with the Public Hearing to be held on Open Space District No. 11, that the staff bring back a report answering four concerns listed by the Council:

1. Council wished to know whether or not the appropriate walk-thrus had occurred between the developer and the staff on the plantings within Open Space District No. 11.

Response: Certain limited walk-thrus have occurred. However, final Landscaping inspection has not yet been requested. The City's Landscape Architect will walk through the project on notification of completion by the developer's contractor. The developer's contractor is presently responsible for all maintenance within the Open Space areas. Council's action at this point will provide for the formation of the District whereas, the actual activation of the District will be dependent upon the developer's submittal of an acceptable landscaping schedule.

2. The question was asked about who was involved in meetings with the developer.

Response: Since the inception of this project is several years old, numerous meetings have been held between the City's Landscape Architect, the developer, his landscape architect, Parks and Recreation Director and his staff, as well as the City Engineer and his staff.

3. The question was asked as to what actions were taken to control maintenance costs associated with the Open Space District.

Response: The project was designed by a registered landscape architect which is required of all Open Space areas. The City's Landscape Architect reviewed plant materials with the project's architect to ensure the installation of low-maintenance materials whenever possible. Many of the slopes are actually set up with temporary irrigation systems so that the water may be terminated once plants have achieved a satisfactory growth rate. Plant materials chosen for the more highly visible slopes generally require more attention and thus involve a higher maintenance cost. The Parks and Recreation and Planning departments continually monitor maintenance cost based on information gathered in active Open Space Districts as a comparison for new projects. With approximately 1,200 dwelling units in the adjacent commercial area contributing to the maintenance costs for this District, maintenance costs are calculated to be maintained at a very manageable level.

4. Question #4 was what actions were taken to ensure installation of correct watering and maintenance systems as well as plant materials.

Response: Prior to the acceptance of the landscaping irrigation system, the City's Landscape Architect, Parks and Recreation Director, and the Open Space Coordinator will inspect the site to ensure compliance with approved plans on file with the City.

KGL:fp
WPC 0633P

R-11485

ATTACHMENT "E"



McMillin

Development

RECEIVED
CITY OF CHULA VISTA
ENGINEERING DEPT

1983 DEC -6 PM 2:52
Realty

Construction

December 6, 1983

Mr. John Lippitt, City Engineer
City of Chula Vista
276 Fourth Avenue
Chula Vista, CA 92010

RE: Landscape Maintenance District #11

Dear John:

The purpose of this letter is to outline Financial Scene, Inc. plan for the orderly turnover of the landscape maintenance responsibilities after the proposed district is formed. This information is being provided in anticipation of inquiries at the scheduled public hearing on this item on December 13, 1983.

In previous letters I have indicated the district's boundaries and the types of landscaping on the open space lots. At present, the plan that we anticipate following is listed below:

- December 1983 - Formation of the district.
- June 1984 - Complete planting in all irrigated areas; installation of automatic irrigation system; complete "as-built" plans for City;
- July 1984 - Request City inspection and acceptance; commencement of one year maintenance period; developer responsible for maintenance during this period. (July 1984 - June 1985)
City commences collection of assessments.
- June 1985 - City final acceptance of landscaping: turn over to City for maintenance;

Please contact me if you have any questions.

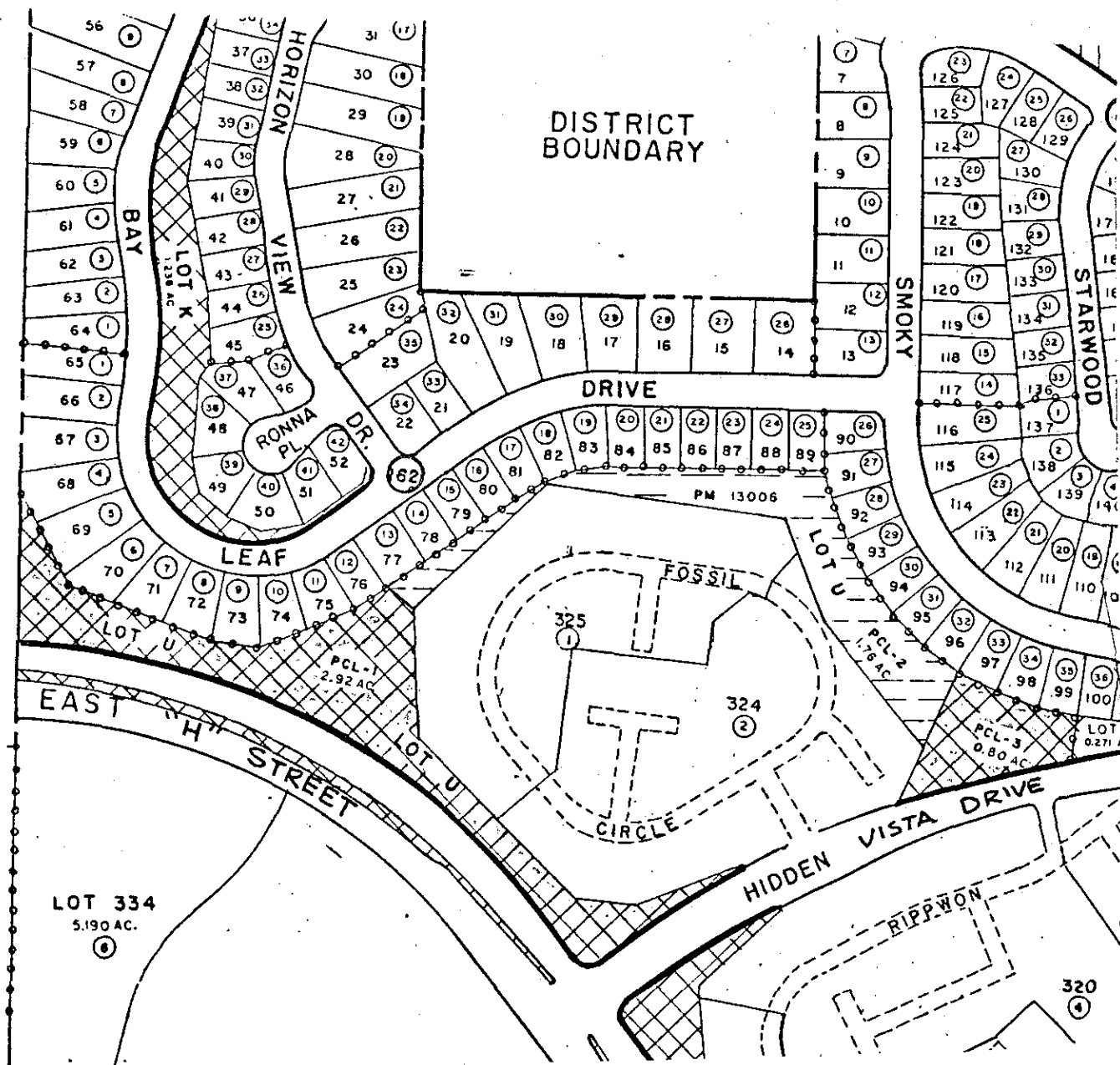
Sincerely yours,

Ken Baumgartner

cc: Bud Gray, Planning Director
Mark Pfister, Parks & Recreation Department
Bob Sennett, Planning

KB/sg

R-11485

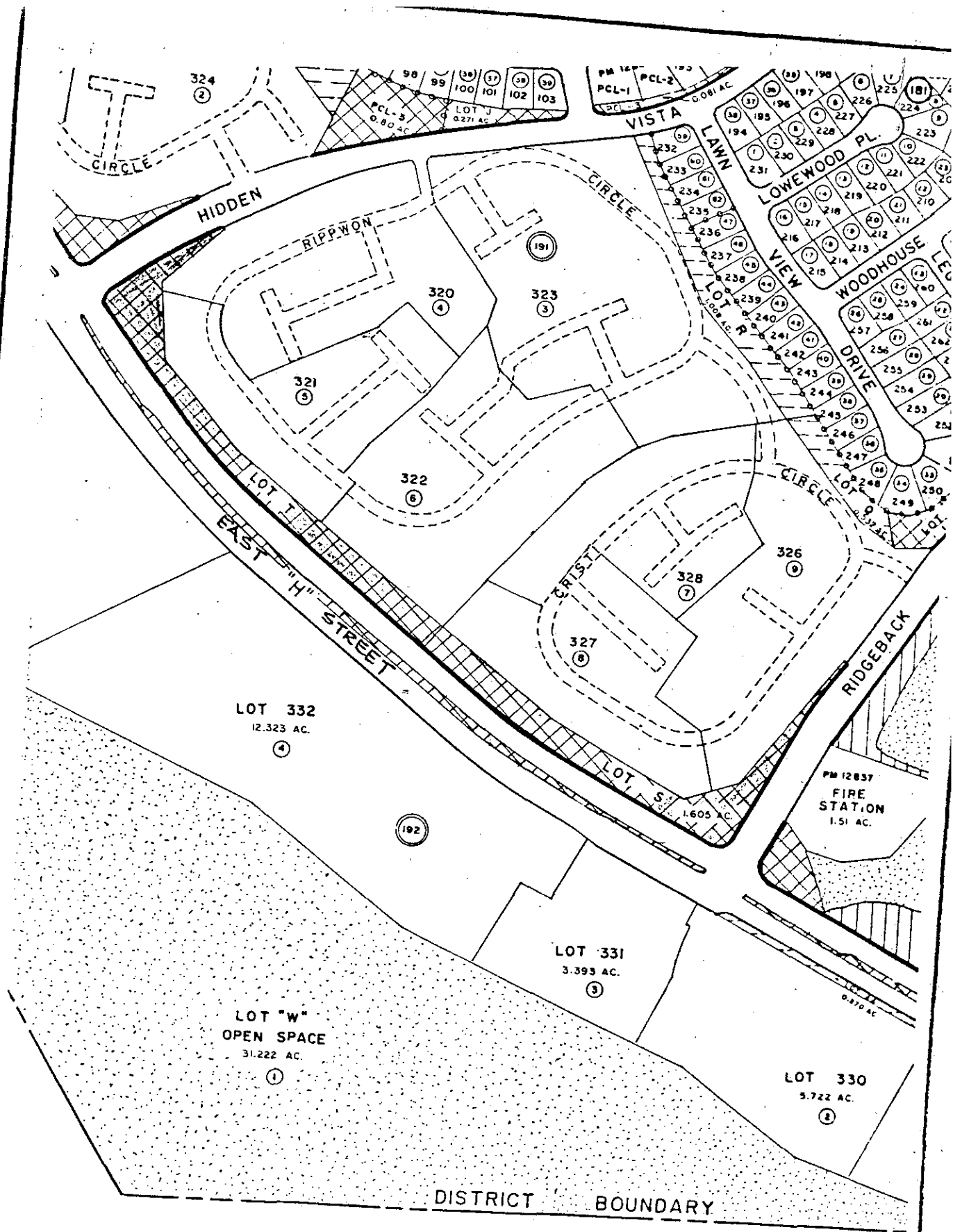


NOTE: PARCEL 1 AND PARCEL 3 OF PARCEL MAP 13006 REPRESENT PORTIONS OF LOT U MAP 10051

DRAWN BY
WAY
DATE
12-6-83

TITLE
PARCELS 1 AND 3 OF PARCEL MAP
13006 GRANTED AS OPEN SPACE LOTS
DISTRICT 11

R11485



DRAWN BY <u>W44</u>	TITLE <u>OPEN SPACE LOTS S AND T</u> <u>OPEN SPACE DISTRICT 11</u>
DATE <u>12-6-83</u>	

R-11485